

avert a potential lawsuit similar to a one brought in district court in Tarrant County last summer. That court held that voter-registration forms showing a middle initial rather than the entire middle name had to be accepted. The Secretary of State's office feared the court-of-naturalization requirement, which had been causing similar confusion, would provoke similar legal action. "I have no problem with the veto," Rep. Thompson said. "If they file another lawsuit, it's just going to cost the state more money."

NOTES: The House Study Group analysis of HB 2316 appeared in the May 17 Daily Floor Report.

Special paint for schoolchildren's crosswalks  
(HB 2349 by S.Hudson)

DIGEST: HB 2349 would have required local governments, when repainting crosswalks in the course of normal maintenance, to paint crosswalks used primarily by schoolchildren with a distinctive yellow paint.

GOVERNOR'S  
REASONS  
FOR VETO:

The Governor said the bill would violate federal regulations governing traffic control and safety devices, which mandate that school crosswalks be distinguished by white painted markings. The regulations are intended to promote safety by requiring uniformity of traffic-control markings on all streets, roads, and highways, he said.

SPONSOR'S  
VIEW:

Rep. Sam Hudson, calling this a "most unwarranted veto," said the Governor must have gotten "bad information from his general counsel." While federal regulations require that crosswalks be white, Hudson said they make no specific mention of school crosswalks. He said Federal Highway Administration (FHWA) officials in Washington told him they were willing to make an exception for a state law requiring yellow school crosswalks, but only if such a state law existed. To get the exception he had to pass the bill, he said, but because there is not now an exception, and because the Governor's staff failed to uncover the exception negotiations, the bill was vetoed. "Something that would have been helpful to all schoolchildren in Texas is so easily brushed aside by a veto because of shoddy research," Rep. Hudson said.

NOTES: Officials at the State Department of Highways and Public Transportation said they were unable to find anyone at the FHWA in Washington who would confirm plans to make an exception for state laws requiring yellow school crosswalks. The FHWA in Austin, however, has said it would have challenged such a law.

The House Study Group analysis of HB 2349 appeared in the May 9 Daily Floor Report.

Sunnyvale Municipal Utility District No. 1  
(HB 2377 by A. Hill)

DIGEST: HB 2377 would have created a conservation and reclamation district in Dallas County, the Sunnyvale Municipal Utility District No. 1, with full authority to issue bonds and levy taxes. The bill described the district boundaries and gave the district all rights, powers, privileges, authority, and functions conferred on municipal utility districts by Chapter 54 of the Water Code. In addition, the bill would have permitted the district to divide into two or more new districts if it had no outstanding bond debt and was not levying a property tax. (Fresh-water supply districts are allowed to divide in this manner under Chapter 53 of the Water Code.) Interim directors were named pending a confirmation election.

GOVERNOR'S  
REASONS  
FOR VETO:

The Governor said the bill granted special and unusual powers to the Sunnyvale Municipal Utility District No. 1, separating it from other applicants, by authorizing the district to divide into two or more districts prior to issuing bonds and levying a property tax. He noted that a utility district can be created either by the Water Commission through a hearings process or by the Legislature through the legislative process. In either case, standard procedures are applied to all applicants, with no special advantage given to any applicant. He said these procedures were necessary "to insure a sound legal and financial policy for all parties concerned, including the state." He objected to HB 2377 because he said it would have granted the Sunnyvale MUD No. 1 a privilege not available to other utility districts.